

REMARKS/ARGUMENTS

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 29, 31-40 and 42-44 are pending, Claims 1-28, 30 and 41 having been canceled without prejudice or disclaimer. The subject matter of Claim 30 has been included into Claim 29 and therefore no new matter is added. Each of the other claims depends directly or indirectly from amended Claim 29.

In the outstanding Office Action Claims 40-41 were rejected under 35 U.S.C. § 101; Claim 30 was objected to as containing an informality; Claims 1-2, 4-12, 14-21, 24-26, 28 and 34-42 were rejected as being unpatentable over Thint et al. (U.S. Patent No. 7,243,105, hereinafter "Thint") in view of Dagtas et al. (U.S. Patent No. 6,859,803, hereinafter "Dagtas"); Claims 3 and 27 were rejected as being unpatentable over Thint in view of Dagtas and in further view of Bala et al. (U.S. Patent Publication No. 2002/0056091); Claim 29 was rejected as being unpatentable over Bala in view of Dagtas; Claims 30-32 were rejected as being unpatentable over Bala in view of Dagtas and in further view of Thint; Claims 33 and 43 were rejected as being anticipated by Martino et al. (U.S. Patent Publication No. 2003/0126108, hereinafter "Martino"); and Claim 44 was rejected as being unpatentable over Martino in view of Thint; and Claims 13 and 22-23 were indicated as containing allowable subject matter.

Applicants appreciably acknowledges the identification of allowable subject matter.

In reply, Claim 41 has been canceled without prejudice, and Claim 40 has been drafted, consistent with 35 U.S.C. § 101.

The objection to Claim 30 has been overcome by way of the present amendment.

Claim 29 has been amended to, among others, require “splitting the multi-user profile according to that tentative split that yields the highest relative difference in case said relative difference lies above a predetermined threshold.”

In contrast, Thint does not disclose this splitting step because in step C, step C requires the performing of a “loop” by reiterating steps (A) and (B) until all or a predetermined number of tentative splits are performed. After reiterating steps (A) and (B), it is determined which of these iterations yielded to the split with a highest relative difference in order to only then perform the definitive split. In contrast, Thint (column 3, lines 43-58) does not describe steps for updating a user profile. Likewise, Thint does not disclose performing the loops as claimed in amended Claim 29. As such, by Thint only describes steps for updating the user profile, which makes Thint valuable for customizing services relating to activities which may vary from time to time. However, this has nothing to do with the features of amended Claim 29, which first finds an optimum split number and then performs that split number.

Bala does not cure the deficiency with regard to Thint as discussed above, because Bala describes a method for splitting the multi-user profile. Bala does not teach or suggest an implemented maximizing factor for first finding the split that yields the highest relative difference, and then splitting thereafter. As neither Bala nor Thint nor the other prior art teach or suggest this feature. It is respectfully submitted that amended Claim 29 patentably defines over the asserted prior art.

Since each of the other claims depends directly or indirectly from Claim 29 it is respectfully submitted that each of the claims patentably define over the asserted prior art.

Consequently, in view of the present amendment and in light of the foregoing comments, it is respectfully submitted that Claims 29, and 31-40 and 42-44, as amended, patentably define over the asserted prior art. The present application is therefore believed to be in condition for formal allowance and an early and favorable reconsideration of this application is therefore requested.

Respectfully submitted,

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